

RGNUL Students' Association

Reply to the Press Statement released by RGNUL Administration

On March 18, 2019, the RGNUL Administration released a press statement on Bar and Bench. This statement was riddled with mischaracterization and outright lies. The University is not in any way innocuous as it makes itself seem. Below-mentioned are the excerpts from the statement and the replies thereto which emphasize the untruth emanating from the University's administration.

1. *"The entire issue of strike at RGNUL started with agitation in mess regarding alleged quality of mess food. However, none of the students complained verbally or in writing to the Warden, Chief Warden, Registrar or the Vice-Chancellor about the mess food or other issues till 13 March."*

At the very outset, there is nothing "alleged" about the quality of the mess food, it is a matter of fact that the mess food in RGNUL has been degrading rampantly. ("**Annexure 1**"). Right up till the disappearance of the Mess Complaint Register ("**Register**") starting March 4, 2019, complaints were entered into by the students on a regular basis.

As far as absence of written and verbal communication by the students is claimed, it is to be noted that interactions with the mess committee were done regularly on verbal basis and written communication was done right up till March 3, 2019 after which the Register disappeared.

The complaints regarding the mess food have been brought to the notice of the authorities time and again. Each time the higher authorities are approached, students are told to contact the mess committee for grievances where as in their press reply, the university has conveniently taken a completely different stance of stating that mess complaints are to be reported to the Warden, Chief Warden, Registrar or the Vice-Chancellor.

Ordinarily, the Register is kept in the student's mess wherein students express their grievances, however, due to the failure of administration on this front, this Register is seldom paid any attention to by the concerned faculty as had been admitted by chief warden, Dr. Anand Pawar himself. Since the Register contained multiple complaints of the students, post the publication of the press note by the university, the students sought to obtain the Register for their reference again today, however, we were informed that the Register had been retained by the Warden and procuring the same was not possible.

Students approached the mess committee to address their concerns of hygiene of the food, findings strand of hair and metal wires in the food ("**Annexure 2**"). The mess committee got the students in touch with the mess contractor. At this juncture, the head of the mess committee had asked for one week to improve the mess food substantially. It is also to be noted that these issues were also brought to the notice of the mess contractor and who accused

us of putting these foreign objects in our food ourselves.

Since the above request was taken cognizance of by the mess committee, it is our understanding that the faculty in-charge of the mess committee would have been well apprised of the issue at hand before any promises were made by the students in the mess committee. Additionally, the warden also made a blatant statement saying that the mess contractor is a capitalist entity and hence the students will have to fit into the system of them providing us with bad unhygienic food for their profits.

Moreover, it is imperative to not fall for the University's mischaracterization of the protests only being about bad food. The entire issue of protests at RGNUL started due to the illegal and arbitrary suspension of 6 students, and the protest is about the University's arbitrary, opaque and high-handed way of functioning with no regard for the rights of its students, which, unfortunately, is the norm at RGNUL.

2. *"On 13th March 2019, during dinner suddenly some students started banging platters against the mess table. Some of these students had not even tasted the mess food whereas some students were eating and simultaneously banging the platters and eating the food again."*

Stating that students "suddenly" started banging plates against the mess table is an extremely misleading statement. The norm at the university is that after each expression of dissent at the mess, the food would improve for a day or two and be back to its own ways soon after. The protest was long coming with no improvement of the hygiene, quality and foreign material presence in the food. The agitation of the students was also accelerated by the fact that there was no Register available post March 3, 2019 and therefore no convenient grievance redressal system. The fact of the matter is that the Register is supposed to be maintained by the guards stationed at the mess, who are directly answerable to the Administrative Officer, and therefore the same is manipulated by the AO. Added to this the constant limbo of approaching the correct members sometimes being the mess workers, other times being the mess committee, further other times being the administrative officer only led to even more frustration of the students by this failed administrative structure.

We vehemently deny the allegations that students were banging plates while simultaneously eating. Having a sense of decency and responsibility towards mankind, we would never indulge in any activity which would result in wasting food no matter how degraded the food is. There is photographic evidence to prove that students were in fact banging empty plates. (**"Annexure 3"**).

3. *"Simultaneously, the University constituted a committee to enquire into the incident as the banging of plates was not a silent protest...The video clips were supplied to the committee by certain informers from which some of the students were identified...The committee conducted an urgent and thorough enquiry into the matter after giving a proper opportunity of being heard...The six students who were identified after observing the video clips supplied to the committee by certain informers, were called for hearing on 14th March 2019 and their*

statements were recorded in writing which were also signed by the six identified students...The statements given by the students were duly recorded and considered...In order to prevent further harm to the University Property, Committee recommended suspension of the six students who are studying in second year of B.A. LL.B. course during the pendency of the enquiry...The suspension of the students on 15th March 2019 was an interim measure subject to the outcome of final inquiry...Further, the suspension order specifically allowed the students to appear in their mid-semester examinations..”

It is to be noted here that the administration is trying to misalign facts to the general public, per habit, since they are adamant on having no changes to the flawed functioning of the RGNUL administration. The mess plate banging incident took place on March 13, 2019 whereas a subsequent event having a participation of more than two hundred students took place on March 15, 2019 post 8:30 pm which was a silent protest because the students were afraid to ask for their rights from the college authorities in fear of being nitpicked and harassed. Unfortunately, now we have already reached a position where the former has taken place, students are being cherry picked by the faculty on the basis of their role in the ongoing protests and are being threatened with repercussions on their academics. In some cases, phone calls have also been made by the higher authorities to the student’s parents to induce the parents to withdraw their ward from the protest.

It is unfortunate that the “certain informers” that the university is referring to are none other than coerced versions of the six suspended students themselves. What is even more unfortunate is that the university has, in their deliberations with the alumni told a different story altogether; this fictional tale includes the faculty members informing the students to lock/secure their cellphones to protect their data. Quite to the contrary, all six students were called individually and all their phones were asked to be unlocked. When one student protested and claimed his fundamental right of privacy being infringed, Dr. Vipin Kumar said, “*Privacy ke tatttu, tu mujhe privacy sikhaeya?! Thappad marunga saari privacy nikal dunga.*” Therefore, the “certain informers” were none other than six students denied of their fundamental right to privacy with their WhatsApp chats and their galleries encroached upon even as late as 12 am at night.

RGNUL seldom delivers justice after hearing the other party and this case was no different. Students were made to answer three questions which were heavy laced with faculty bias whilst being under constant mental intimidation by the faculty members. Post submitting the written answers, students were made to sign the sheet provided to them and dismissed. Our ongoing protest, which is almost well into the eighty-ninth hour, aims to fix this much modified version of the legal maxim *audi alteram partem*.

Shortly after, the six students were informed that they had been suspended. The problem however, with this suspension was that the university forgot to follow its own rules. Per the Regulation 11(2) of the RGNUL (Discipline among Students) Regulations, 2015, only the Vice-Chancellor is vested with the authority to suspend students. However, in the case of the current suspension, the Administrating Officer, Capt. S.P. Singh (Retd.) had signed off on the

suspension order. (“**Annexure 4**”) We are still awaiting to see what actions will be taken against Capt. S.P. Singh (Retd.) for violation of the RGNUL (Discipline among Students) Regulations, 2015.

4. *“Suddenly on 15th March 2019 evening, when the students learnt that two esteemed judges of the High Court of Punjab and Haryana are coming in the guest house of RGNUL, ...At around 12 midnight, students started raising slogans and blocked the road in front of the guest house. The entire night, faculty members and Registrar kept on assuring the students that the Committee will take a call on your demands next morning immediately but to no avail.”*

On March 15, 2019, at around 8pm, students decided to pursue a soft silent protest outside the Guest House to stand up for the injustice that was faced by six students of RGNUL who were suspended arbitrarily. While students were assembling outside the Guest House, the guards questioned the motive for our assembly and were then provided with a written representation which was provided to the authorities inside the Guest House including the Registrar. The same called for the suspension of the students to be revoked. After a while, the Registrar along with other authorities came and tried to inquire about what we wanted, something which had already been communicated via written representations. Rather, what the authorities were doing were fishing for individuals to hold responsible for the act of silent protest. This is a *modus* that is all too common at RGNUL. The authorities pick and choose the individuals who lead collective actions on behalf of the students and enforce punitive actions and threats against them, including avenging through marking them low in their viva-voce and other academic activities. This is enabled by the lack of transparency in academic and administrative actions in the University. The students were thus determined to not individually respond to the faculty members as no student wanted to be nitpicked and harassed by the Registrar or any of the faculty. Rather, the students agreed that all communication will be made in writing and on behalf of all students, rather than in the name of one student. Such is the despicable nature of the administration at RGNUL that students fear being singled out. Many students have already been threatened, either by faculty members of repercussions in their viva-voce, or have had phone calls made to their parents.

As for sloganeering, that was resorted to at 1 AM, when after 5 hours of protests, no adequate response came from the authorities about the demand for revocation of the suspension orders. The students did not block the road, and quite to the contrary ensured that they occupied only one half of the road, leaving the rest half vacant for mobility of vehicles. Had the students blocked the road, the cars of the District Magistrate, DC and various other individuals could not have passed through. At all times at least half of the road was vacant which allowed the free movement of cars. There exists photographic evidence of the same which has been appended. (“**Annexure 5**”)

Moreover, the students witnessed a number of vans and buses coming into the campus, filled with police personnel. The sheer number of the heavily armed police personnel present in the night inside the campus simply cannot be attributed to the presence of dignitaries on the campus. Since the University has witnessed dignitaries coming onto the campus prior to this, where only a reasonable number of police personnel were present. (“**Annexure 6**”)

As for the claim that the “entire night” the Registrar and faculty members were assuring students, the claim is a flat lie. The students were addressed only twice by the authorities, for brief moments, and both the times the authorities claimed that their order was legal with the Adjudicating Officer having the authority to issue such an order. Important to remark is that when the two Judges addressed the students in the morning, they stated that the order was wrong in law and the students were brought back into the campus. Furthermore, the Registrar even hit out at a few individuals claiming it was their intent to “mislead” the rest of the students by organizing the protest. During this time, the faculty behaved as expected and interacted with the students and threatened them of dire consequences.

5. *“The students were informed by the Faculty and the Registrar during the night of 15th March 2019 that the matter is pending with the Committee and the decision shall be taken immediately in the Morning of 16th March 2019 by calling a meeting of the Committee....”*

All of the above allegations are completely untrue. The students kept shivering all night long and protested against the injustices. It is only in the morning, when the Hon’ble Judges of the High Court came out and addressed the students. It is only thereafter this that the University authorities took notice and tried to address the students’ grievances. Much later, the authorities came and plainly stated that the issues would be looked into on Monday with no assurance whatsoever.

6. *“In the morning of 16th March 2019, two Judges of the High Court spoke to the students and heard the grievances of the students. Both learned judges gave assurances to the students that their genuine demands shall be met. At that time, students raised new demands including that the first paper of mid- semester examinations be postponed..... suspension of six students be revoked; administrative officer be suspended; and the in-timing of the girl students in hostels be increased. Judges assured the students that their first three demands will be met (including sending the AO on leave till further orders) and the other issues will be decided by the Committee of Judges along with the Vice-Chancellor subject to the students calling off their agitation. Judges requested the students to call off their agitation. However, despite such assurances, students did not call off their agitation. Thereafter, representative of the Chancellor, Justice Mahesh Grover also spoke to the students and heard their demands and assured them that their first three demands will be met, as above, subject to the condition that students calling off their agitation. However, despite such assurances from the Committee of High Court Judges and also by the Vice-Chancellor, students did not stop their agitation.”*

It is a false allegation that the students had issued new demands in front of the two Judges. Rather, after the students had been protesting for about 8 hours without adequate response, and they had been chanting slogans for three hours, the students decided that the administration’s high-handedness in the University had to come to an end. Thus, a formal representation was made on behalf of all students, and in the name of a newly constituted Students’ Association. This was submitted to the authorities at 4 AM and all demands raised before the two Hon’ble Judges in the morning were the demands made herein.

The Judges agreed that the demands put forward by the students were genuine and legitimate. The students were repeatedly asking that written assurances be issued that the demands would

be seriously considered and met. Because no written assurances could be provided, the students denied calling off the protest.

It is striking that the Judges would state that the revocation of an illegal order is contingent upon students calling off their protest.

Moreover, that action against the SP Singh will only be taken if the students withdraw their protest is serious disregard to the wrongs suffered by students against whom the AO has made sexist, abusive and vitriolic remarks.

As for changing the hostel in-timings, the University has always in the past changed the in-timings on fickle grounds and without setting up committees. An example of it is when the hostel in-timings for the girls changes from 10 PM to 9 PM upon onset of winters, and vice versa in summers. No committee is set up then to review the changes. Moreover, there exist various other discriminatory practices with respect to restricting the liberties of girls inside their hostels. There is no justification for individual hostel blocks within the compound of the girls hostel to be locked post 11 PM restricting their mobility from one hostel block to another. Post 11 PM, girls are targeted if they leave their rooms even to head to the washrooms, and if they are assembled together in one room. The wardens regularly check, make the ‘inmates’ sign the attendance register at the end of every day, and upon failure to sign the same, for any reason whatsoever, stern actions are taken.

Moreover, the students had also demanded the recognition of the student body, which the administration fails to mention in their appeal. Upon explaining the plight of students due to the administration’s arbitrariness to Justice Grover and why there was a need for a student representative body, Justice Grover had remarked that indeed it was a legitimate demand.

In the end, though Justice Grover had stated that our demands were legitimate, he asked for us to conclude our protests for them to be met. The students had agreed, and sent in a representative inside the Guest House to Justice Grover so as to get the final assurances drafted. When the representative came back, we were dismayed to find that the assurances were ambiguous and did not ascertain fulfilment of our demands. When we send in a second representation asking for specific assurances, we were denied. These specific assurances included *inter alia* that the Committee set up to investigate SP Singh would be impartial, transparent, and free of conflict of interest between its members. We also asked for being provided with the minutes of the Committee, which we were told we do not require. We further asked for a definite assurance stating that there will be recognition of a student representative body, as opposed to the earlier assurance that a Committee will look into it. A similar provision was etched out about resolving the discriminatory in-timings, whereby it was only promised that the issue will be looked into, without any definitive assurance. Upon denial of these assurances, the students decided to not give up their protest, for similarly ambiguous statements is how the University prevents exercise of the rights of the students.

7. *“Vice-Chancellor along with faculty members again addressed the students on 17th March 2019 also and heard their grievances. During the interaction of the students with the Vice-Chancellor, the students demanded that the suspension of students be revoked immediately;*

action against the administrative officer be taken; in-timing of the girls hostel be increased till late night and; elected student body be allowed to involve students in participation in university decision making. Vice-Chancellor assured that all the demands will be considered after discussion with the Chancellor immediately and appropriate action will be taken at the earliest and requested the students to end their protest. However, students did not accept the request of the Vice-Chancellor.”

During this ‘interaction’, it is imperative to note that the VC was adamant that the protest be called off before any action can be taken. He also further devolved his responsibility for the demands by stating that the ultimate authority lies with the Chancellor of the University. It is also important to note that the Vice Chancellor stated that the Chancellor, Hon’ble Chief Justice of Punjab and Haryana High Court would not be coming to address the students and hear their grievances as was promised to us earlier. The Vice Chancellor in its stead stated that he will make representations on behalf of the students to the Chancellor, which is something fundamentally flawed for it is the administration that Dr. Paramjit Singh Jaswal overlooks and supports against whom the students are agitating. Thus, the students do not believe that they are being bonafidely represented before the Chancellor and hence want to meet him and apprise him of their grievances themselves. Throughout the meeting, the VC was aggressive, cutting off all speakers before they could even make their point, and obstinate. He insisted that the protest be called off without giving anything else in return. Minutes of the meeting with the VC drafted by the students are appended herewith. (“**Annexure 7**”).

Moreover, in the evening of 17th March 2019, a few alumni of the University tried to resolve the deadlock between the students and the authorities, by meeting the VC. After the meeting, the authorities were ready to issue written assurances, though they were again ambiguous and non-definitive. However, the point to be noted is that the authorities had finally agreed to promise in writing all that which the VC had earlier in the day stated was outside his authority to give. This can only lead to the presumption that either the VC was lying when he said he had no authority to give assurances in the day, or they planned to give to the students assurances which would not bind them later on in the evening. Even if either of the two is correct, it is a dastardly message that is sent to the students, which dents the credibility of the administration.

8. *“It is pertinent to mention here that during the interaction of the students with the Hon’ble Judges and with the Vice-Chancellor, the issue of quality of mess food which initiated the strike was never raised.”*

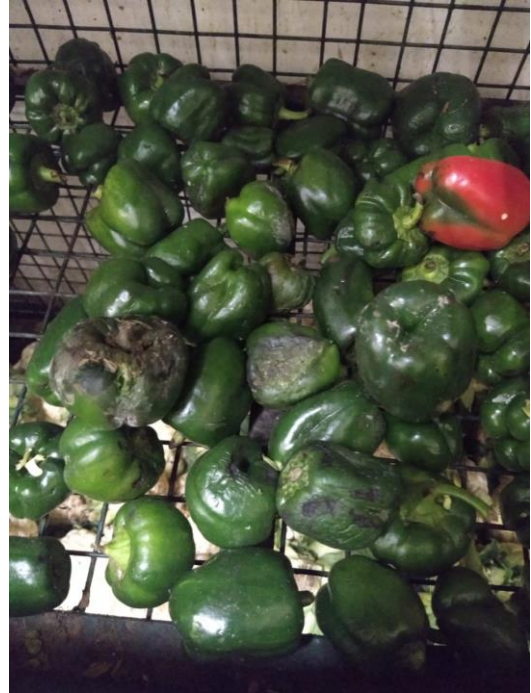
The authorities, including the Registrar, the Vice Chancellor and the Hon’ble Judges of the High Court who interacted with the students have been given a written representation from the students, that includes the four demands which are central to the protest. The dismal quality of the mess food provided an event which initiated the entire protest and has never been the sole issue on which the protest rests. This gross mischaracterization by the administration is a deliberate attempt to confound the gravity of the misdemeanors, corruptness and perversity on part of the administration and its oft undertaken arbitrary actions. The four demands that have been put forward by the students and have been reiterated

over and over in front of the authorities, and are precisely what the protest stands for. But this does not mean that the university is not plagued by other issues which cause an infringement of rights just as seriously.

The authorities while interacting with the students have agreed that none of the four demands put forward by the students are frivolous or illegitimate. In fact, they have agreed that the demands are justified and crop out of the basic rights that the students have. Yet, the authorities have made the consideration of these demands conditional on the protest being called off first. This is done because the administration does not in good faith desire to fulfill our demands. Its aim is to promise chimeras drafted in smart legalese which allows it to evade fulfilment of its duties later on. The students of Law will not be fooled by these ambiguous statements, and demand assurances which will yield to fruition.

(please find the annexures below)

Annexure 1




Annexure 2



Annexure 3




Annexure 4

 **RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB**
(Established Under the Punjab Act No.12 of 2006)
'Accredited with 'A' Grade by NAAC'

RECEIVED _____
Date: _____


OFFICE ORDER



There was an incident of indiscipline and hooliganism in the boys' mess in the boys' hostel. You all have been found to have indulged in the act of violence and ruthlessness, damaging the university property and creating nuisance for other students who wanted to take their meal in peace.

Keeping in view the seriousness of this incident you are suspended from the university with immediate effect and your entry to the campus and Boys' Hostel is banned till further orders.

However you are permitted to take the midterm examination commencing with effect from 18th March, 2019. You are permitted to enter the campus 30 minutes before the commencement of the exam and shall leave the campus within 15 minutes of the completion of examination time.

 15.3.19
ADMINISTRATIVE OFFICER

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e-mail: info@rgnul.ac.in website: www.rgnul.ac.in

Annexure 5





Annexure 6





Annexure 7

MINUTES OF THE MEETING WITH THE VICE CHANCELLOR ON 17TH MARCH 2019

Pre-Meeting

After two and a half days of relentless protests, the Vice Chancellor agreed to meet and address the students at 01:35 PM on 17th March. Prior to the meeting, the VC pressed a need for teachers to be present at the sight to ensure his safety, to which the students were reluctant. This was to ensure that the students are not subject to undue harassment (by pinpointing in viva-voce) at the hands of the teachers, as has often been the case for students who stand up to the authorities in the past. However, the VC felt 'threatened' by our peaceful protest and wanted the faculty present for his physical safety. Coming to a compromise, the students and the VC agreed to the presence of some faculty members standing back at a distance so that the students who were representing could not be recognized by the faculty members. However, after waiting in the scorching sun for more than an hour, the VC decided to show up, alongside 10 professors and a few administrative staff, in contravention of the agreed compromise.

The Meeting

Ironically the meeting started with the VC enquiring about the student's welfare in spite of the students having protested in front of the VC's residence all night and even sleeping outside it.

The first point of discussion consisted of the students asking for a written submission from the college authorities affirming their intention to agree with the 4 demands put forward by the students. The VC replied in the negative, relying on the fact that all the requisite negotiation pertaining to the same had been done on the previous day in the presence of 3 judges of the Punjab and Haryana High Court. However, it must be pointed out that no clear consensus had been reached between the students and the judges, as the final offer was categorically rejected by the students. This was done as the students lacked clarity on the response and their resolution which was rejected by the Hon'ble Justices. The clarity sought was in the nature of assurances for transparency and absence of conflict of interest in the committee that was being set up. These points were required to be clarified as similar committees and inquiries had been set up in the past, but with no fruition.

The second point of discussion pertained to the Administrative Officer's dismissal to which the VC instantaneously replied that the point had been made and needed no further discussion. The student pressed further, asking for a representation in the meeting which are due to be held in the coming week. However, the VC cited that the issues have been resolved on the previous day with the judges. The point concluded with the VC asking for the students to call off the protest without addressing the meeting and circumventing and avoiding the actual issue by referring to a different meeting altogether. This started the entire process of the VC responding to a demand with a counter demand which eventually resulted in a deadlock.

The third point of discussion pertained to the unequal in-timings to which the VC responded that the same point had already been addressed in the email sent out to him and the point was being unnecessarily repeated. The student further elaborated upon how the in-timings were an internal matter and could be resolved by a simple administrative order. However, the VC decided to circumvent and avoid the issue again by referring to the events that transpired on the previous day in the presence of the judges. The VC also persistently kept pointing to the fact that the talks with the judges had failed because the students reneged on them and did not agree thereafter. The truth of the statement is that the students had rejected the offer by the Hon'ble Justices as the same were ambiguously worded and do not definitively oblige the Administration to fulfill the demands.

The fourth point pertained to the constitution of the student body and the stance of the administration regarding the same, to which the VC replied that he was powerless as far as the granting of the student body was concerned, hence, he could only convey the need for the same to the Chancellor. The VC also kept reiterating that the need for the student body was very new, even though it had been brought to his notice at several instances in the past.

The fifth point of discussion pertained to the meeting with the Chancellor, as the same had been assured by the judges on the previous day. The VC replied that the Chancellor was busy with 'administrative engagements' due to which he could not be on campus. Subsequently, the point regarding the demand for extension of in-time was brought up. This was done as the change in in-timings has always been a simple administrative order that can be issued internally without much administrative procedure. However, the VC expressed that there was a complex procedure that needed to be followed to grant the in-timings demand and he would discuss it with the Chancellor.

Subsequently, there was a deadlock as the VC kept on insisting that the students need to call off the agitation for any further actions. This was the repeated response for the next couple of minutes wherein the VC practically went deaf and kept on repeating the same.

The students again brought forward the need for a written assurance on the part of the university to which the VC dismissed as impossible. As the need for the written assurance was pressed further, the VC conveniently resorted to mockery. Subsequently, he decided to cut the discussion by stating that he had heard enough and no further deliberation on the written assurance was warranted.

The meeting ended with the students conveying their intention to continue the agitation after which the VC left.

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